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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

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WALTER CEDENO and PEDRO
MANZANARES, Individually, and
on behalf of all others similarly
situated,

Plaintiffs,

-against-

HOME MORTGAGE DESK CORP.,
d/b/a/ HOME DESK, and HMD MORTGAGE,
MICHAEL THEODORAKIS, and GEORGE
L. BENNINGER,

Defendants.
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MEMORANDUM AND ORDER

CV 08-1168

(Wexler, J.)

APPEARANCES:

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By: Erik H. Langeland, Esq.
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Attorneys for Plaintiff

Offit Kurman, P.A.
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WEXLER, District Judge

Presently before the court is the Report and Recommendation of Magistrate Judge Arlene Rosario Lindsay (the "R&R") dated May 27, 2009. The R&R recommends the granting of Plaintiff's motion to amend the complaint. Specifically, the R&R recommends that Plaintiff be granted leave to amend her complaint to name Michael Menicucci as a Defendant. Defendants

move to set aside the R&R.

Upon review of this matter, the R&R and the parties' submissions, the court hereby adopts the R&R. The Clerk of the Court is directed to terminate the motion to set aside the R&R.

SO ORDERED


LEONARD D. WEXLER
UNITED STATES DISTRICT JUDGE

Dated: Central Islip, New York
June 30, 2009